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EXAMINER

KARMIS, STEFANOS

ART UNIT

PAPER NUMBER

3693

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/733,844

Applicant(s)

TANNER ET AL.

Examiner

Stefano Karmis

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. The following communication is in response to Applicant's amendment filed 18 October 2007.

Status of Claims

2. Claims 1, 9, 17 and 38 are currently amended. Claims 1-38 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 6, 7, 9-12, 14, 15, 17, 24, 26, 27, 29, 30, 32, 33 and 35-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Measuring Skill Acquisition and Retention with an ATM Simulator; The Need for Age-Specific Training (hereinafter Mead).

Regarding independent claims 1, 9, 17 and 38, Meade discloses a computerized method comprising:

showing a first virtual electronic device on a display, wherein the first virtual electronic device is a virtual representation of a first electronic device and is configured to emulate operation of one or more features of the first electronic device (page 2, paragraph 3 and page 2,

paragraph 11 thru page 3, paragraph 1; Examiner notes that Meade discloses a computer showing a virtual ATM to emulate operation of an ATM; Examiner also notes that the computer has a graphical user interface and the processor is inherent in the computer); and

presenting a virtual tutorial to a user by navigating through the first virtual electronic device on the display, the virtual tutorial instructing the user how to use a feature of the first electronic device (page 3, paragraphs 1-5; Examiner notes that the tutorial guides the user through features of the ATM such as different transaction types and how to interact with an ATM).

Claims 2, 10 and 24, Meade discloses showing a second virtual electronic device to emulate an exchange of information between the first electronic device and a second electronic device (page 3, paragraph 1; Examiner notes that an ATM qualifies as a second electronic device and the tutorial demonstrates how it is inserted and exchanges information with the virtual ATM).

Claims 3, 11, and 27, Meade discloses showing a virtual eCommerce system to emulate an exchange of information between the first electronic device and an eCommerce system (page 2, paragraph 3 and page 2, paragraph 11 thru page 3, paragraph 1; Examiner notes that an ATM is an eCommerce system).

Claims 4, 12, and 30, Meade discloses showing a device map listing features of the first electronic device (page 3, paragraph 1 and 4-5; Examiner notes a menu for selecting a

transaction. The action tutorial presents a list of five transaction types for the user to simulate. The transactions include Account information, FastCash withdrawal, Other withdrawal, Transfer and Deposit).

Claims 6, 14 and 32, Meade discloses showing an interactive simulation to instruct a user how to use a feature of the first electronic device (page 3, paragraphs 1-5).

Claims 7, 15 and 33, Meade discloses showing an animated sequence to instruct a user how to use a feature of the first electronic device (page 2, paragraph 11 thru page 3, paragraph 1).

Claim 26, Meade discloses a virtual electronic system shown on the display to emulate the operation of an electronic system (page 2, paragraph 3 and page 2, paragraph 11 thru page 3, paragraph 1; Examiner notes that the ATM is an electronic system).

Claim 29, Meade discloses a graphical user interface (page 2, paragraph 3).

Claims 35-37, Meade discloses the first electronic device is adapted to communicate with the processor and determines features that can be performed by the first electronic device (page 3, paragraphs 1-5; Examiner notes that the computer/processor guides the user through features of the ATM such as different transaction types and how to interact with an ATM).

, Claim Rejections - 35 USC § 103 .

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 13 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Measuring Skill Acquisition and Retention with an ATM Simulator; The Need for Age-Specific Training (hereinafter Mead) in view of Perlman U.S. Patent 6,829,779.

Claims 5, 13 and 31, Meade teaches showing a virtual representation of a first electronic device. Meade fails to specify that the representation is magnified. Perlman teaches showing a magnified view of a virtual electronic device to provide a detailed illustration of a feature of the first electronic device (Figs 12-18). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Meade to include magnifying the view, because it would assist in the tutorial and simulation of the device when teaching a user features of the device.

7. Claims 8, 16 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Measuring Skill Acquisition and Retention with an ATM Simulator; The Need for Age-Specific Training (hereinafter Mead) in view of Gaos U.S. Publication 2003/0046689.

Claims 8, 16 and 34, Meade teaches showing an interactive simulation to instruct a user how to use a feature of the first electronic device (page 3, paragraphs 1-5). Meade fails to teach a video instructions. Gaos teaches a video to instruct a user how to use an electronic device in a virtual environment (page 7, paragraph 0100). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Meade to include video tutorials as taught by Gaos, because it would assist in the tutorial and simulation of the device when teaching a user features of an electronic device.

8. Claims 18-23, 25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Measuring Skill Acquisition and Retention with an ATM Simulator; The Need for Age-Specific Training (hereinafter Mead) in view of Official Notice.

Claims 18 and 19, Meade teaches that the first electronic virtual device is an ATM. Meade also teaches the use of a handheld second electronic device such as an ATM card used in conjunction. Official Notice is taken that the use of a handheld first electronic device and digital wallet in e-commerce transactions is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Meade to include handheld first electronic devices and digital wallets in the simulation of e-commerce transactions because they are often used in connection with ATM systems.

Claims 20-23, Meade teaches that the first virtual electronic device comprises a virtual display and a virtual input device (page 3, paragraph 1-5). Meade fails to specify that the first electronic device comprises a virtual peripheral port, virtual biometric access device and virtual memory. Official Notice is taken that peripheral ports, biometric access devices and memory are old and well known in the ATM/financial arts. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Meade to include that the virtual ATM have virtual peripheral ports, virtual biometric access device and virtual memory, because real ATMs have such peripheral ports to facilitate electronic communication. Further the claims do not require showing these features to the user of the system, they are merely just parts or features associated with an ATM.

Regarding claims 25 and 28, Meade teaches showing a second virtual electronic device to emulate an exchange of information between the first electronic device and a second electronic device (page 3, paragraph 1; Examiner notes that an ATM qualifies as a second electronic device and the tutorial demonstrates how it is inserted and exchanges information with the virtual ATM). Meade fails to specifically specify that the virtual ATM and card are shown on the screen simultaneously. Official Notice is taken that simultaneously showing devices exchanging information is old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Meade for displaying an ATM card and clicking on it to insert that card to specify that the ATM is

simultaneously shown because it provides what the ATM card is being inserted to and would assist in the tutorial of how to operate an ATM in conjunction with an ATM card.

Response to Arguments

9. Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted
Stefano Karmis
03 January 2008

A handwritten signature in black ink, appearing to read 'Stefano Karmis', is written over the typed name and date.